

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

In re: Debtor(s) name(s) used by the debtor(s) in the last 8 years, including married, maiden, and trade):

Roberta Lyn Hoy
Debtor 1

Chapter 13

Case No. 1:19-BK-05263-HWV

Matter: Motion to Incur Debt/Obtain Credit

DEBTOR(S)' MOTION TO INCUR DEBT

AND NOW, come the Debtor(s), Roberta Lyn Hoy, through their attorney, Paul D. Murphy-Ahles, Esquire and DETHLEFS PYKOSH & MURPHY, who files the within Debtor(s)' Motion to Incur Debt/Obtain Credit and aver as follows:

1. This case was commenced by the filing on December 10, 2019 of a voluntary petition for relief under Chapter 13 of the Bankruptcy Code.

2. Debtor(s) have obtained a pre-approval for the refinance of their personal residence located at 154 Needlewood Drive, Unit D4, Harrisburg, Dauphin County, Pennsylvania.

3. A refinance of the personal residence will pay both mortgages in full and allow Debtor(s) to make one monthly payment for the residence rather than two.

4. Debtor(s) have obtained approval for financing from American Financing Corporation located in Aurora, Colorado.

5. It is estimated that the monthly payments on the mortgage will be approximately \$1,390.00 per month, including escrow for real estate taxes and homeowner's insurance, for 360 months. The interest rate on the mortgage note will be 4.625%. A true and correct copy of the Loan Estimate is attached hereto and incorporated as Exhibit "A".

6. The estimated payment of the refinance lowers Debtor(s)' monthly mortgage payment.

7. Debtor(s) intend to make all payments on the mortgage note outside the Chapter 13 plan in this case.

8. For all the reasons set out above, Debtor(s) believes that the granting of this Motion will not materially or adversely affect the interests of any creditor, nor Debtor(s)' prospects for successful completion of the Chapter 13 Plan in this case, and will instead permit Debtor(s) to purchase a personal residence for he and his spouse which is necessary for the Debtor(s) to live in, and hence necessary for the successful completion of the Chapter 13 Plan in this case.

WHEREFORE, Debtor(s) moves this Honorable Court for leave to incur the new debt described above and prays for such other and further relief as the Court deems just and proper.

Respectfully submitted,
DETHLEFS PYKOSH & MURPHY

Date: August 2, 2022

/s/ Paul D. Murphy-Ahles

Paul D. Murphy-Ahles, Esquire
PA ID No. 201207
2132 Market Street
Camp Hill, PA 17011
(717) 975-9446
pmurphy@dplglaw.com
Attorney for Debtor(s)

American Financing Corporation

3045 S Parker Road Building B Ste 100, Aurora, CO 80014

Save this Loan Estimate to compare with your Closing Disclosure.

Loan Estimate

DATE ISSUED 7/22/2022
APPLICANTS Roberta Hoy
 154 Needlewood Dr
 Harrisburg, PA 17112 United States

PROPERTY 154 Needlewood Dr
 Harrisburg, PA 17112
EST. PROP. VALUE \$350,000

LOAN TERM 30 years
PURPOSE Refinance
PRODUCT Fixed Rate
LOAN TYPE ☐ Conventional ☒ FHA ☐ VA ☐ _____
LOAN ID #
RATE LOCK ☒ NO ☐ YES, until

Before closing, your interest rate, points, and lender credits can change unless you lock the interest rate. All other estimated closing costs expire on **8/3/2022** at 4:30 p.m. MDT

Loan Terms	Can this amount increase after closing?	
Loan Amount	\$202,991	NO
Interest Rate	4.625%	NO
Monthly Principal & Interest See Projected Payments below for your Estimated Total Monthly Payment	\$1,043.66	NO
Prepayment Penalty	Does the loan have these features?	
	NO	
Balloon Payment	NO	

Projected Payments		
Payment Calculation	Years 1 - 11	Years 12 - 30
Principal & Interest	\$1,043.66	\$1,043.66
Mortgage Insurance	+ 132	+ _____
Estimated Escrow Amount can increase over time	+ 210	+ 210
Estimated Total Monthly Payment	\$1,386	\$1,254
Estimated Taxes, Insurance & Assessments Amount can increase over time	\$210 a month	This estimate includes <input checked="" type="checkbox"/> Property Taxes <input checked="" type="checkbox"/> Homeowner's Insurance <input type="checkbox"/> Other: See Section G on page 2 for escrowed property costs. You must pay for other property costs separately.
		In escrow? YES YES

Costs at Closing	
Estimated Closing Costs	\$12,110 Includes \$10,490 in Loan Costs + \$1,700 in Other Costs -\$80 in Lender Credits. See page 2 for details.
Estimated Cash to Close	\$17,881 Includes Closing Costs See Calculating Cash to Close on page 2 for details. <input type="checkbox"/> From <input checked="" type="checkbox"/> To Borrower

Visit www.consumerfinance.gov/mortgage-estimate for general information and tools.



Closing Cost Details

Loan Costs

A. Origination Charges \$3,758

% of Loan Amount (Points)	
Admin Fee	\$390
Doc Prep	\$378
Loan Origination Fee	\$1,995
Processing Fee	\$600
Underwriting Fee	\$395

B. Services You Cannot Shop For \$4,546

Appraisal Fee	\$750
Credit Report Fee	\$65
Flood Certification	\$15
Mortgage Insurance Premium	\$3,491
Title - Cpl and 8.1 Endorsement	\$225

C. Services You Can Shop For \$2,186

Title - Comp 9.0 Endorsement	\$125
Title - Lender's Title Policy	\$1,586
Title - Settlement Or Closing Fee	\$475

D. TOTAL LOAN COSTS (A + B + C) \$10,490

Other Costs

E. Taxes and Other Government Fees \$202

Recording Fees and Other Taxes	\$202
Transfer Taxes	

F. Prepaids \$386

Homeowner's Insurance Premium (months)	
Mortgage Insurance Premium (months)	
Prepaid Interest (\$25.72 per day for 15 days @ 4.625%)	\$386
Property Taxes (months)	

G. Initial Escrow Payment at Closing \$1,112

Homeowner's Insurance	\$75.00 per month for 4 mo.	\$300
Mortgage Insurance	per month for mo.	
Property Taxes	\$135.40 per month for 6 mo.	\$812

H. Other

I. TOTAL OTHER COSTS (E + F + G + H) \$1,700

J. TOTAL CLOSING COSTS \$12,110

D + I	\$12,190
Lender Credits	-\$80

Calculating Cash to Close

Loan Amount	\$202,991
Total Closing Costs (J)	-\$12,110
Estimated Total Payoffs and Payments	-\$173,000
Estimated Cash to Close <input type="checkbox"/> From <input checked="" type="checkbox"/> To Borrower	\$17,881

Estimated Closing Costs Financed (Paid from your Loan Amount)	\$12,110
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Additional Information About This Loan

LENDER American Financing Corporation
NMLS/PA LICENSE ID 182334/44348
LOAN OFFICER Ignacio Gomez
NMLS/PA LICENSE ID 740158/69315
EMAIL ignacio.gomez@americanfinancing.net
PHONE (303) 557-4298

MORTGAGE BROKER
NMLS/PA LICENSE ID
LOAN OFFICER
NMLS/PA LICENSE ID
EMAIL
PHONE

Comparisons

Use these measures to compare this loan with other loans.

In 5 Years	\$81,149 \$17,601	Total you will have paid in principal, interest, mortgage insurance, and loan costs. Principal you will have paid off.
Annual Percentage Rate (APR)	5.56%	Your costs over the loan term expressed as a rate. This is not your interest rate.
Total Interest Percentage (TIP)	85.28%	The total amount of interest that you will pay over the loan term as a percentage of your loan amount.

Other Considerations

Appraisal

We may order an appraisal to determine the property's value and charge you for this appraisal. We will promptly give you a copy of any appraisal, even if your loan does not close. You can pay for an additional appraisal for your own use at your own cost.

Assumption

If you sell or transfer this property to another person, we
☒ will allow, under certain conditions, this person to assume this loan on the original terms.
☐ will not allow assumption of this loan on the original terms.

Homeowner's Insurance

This loan requires homeowner's insurance on the property, which you may obtain from a company of your choice that we find acceptable.

Late Payment

If your payment is more than 15 days late, we will charge a late fee of *4% of the overdue payment of Principal and Interest (P&I)*.

Loan Acceptance

You do not have to accept this loan because you have received this form or signed a loan application.

Liability after Foreclosure

Taking this loan could end any state law protection you may currently have against liability for unpaid debt if your lender forecloses on your home. If you lose this protection, you may have to pay any debt remaining even after foreclosure. You may want to consult a lawyer for more information.

Refinance

Refinancing this loan will depend on your future financial situation, the property value, and market conditions. You may not be able to refinance this loan.

Servicing

We intend:
☐ to service your loan. If so, you will make your payments to us.
☒ to transfer servicing of your loan.



**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

In re: Debtor(s) name(s) used by the debtor(s) in the last 8 years, including married, maiden, and trade):

Roberta Lyn Hoy
Debtor 1

Chapter 13

Case No. 1:19-BK-05263-HWV

Matter: Motion to Incur/Obtain Debt

NOTICE

Notice is hereby given that:

The Debtor(s) filed a Chapter 13 Bankruptcy Petition on **December 20, 2019**.

A hearing on the above-referenced matter has been scheduled for:

United States Bankruptcy Court Ronald Reagan Federal Building Bankruptcy Courtroom (3rd Floor) Third & Walnut Streets Harrisburg, PA 17101	Date: August 23, 2022 Time: Hearing Time AM/PM
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Any objection/response to the above-referenced matter must be filed and served on or before **August 16, 2022**.

If service was properly made and Respondent(s) fail to file any objection/response by the above-specified date, the Court **may** determine after review of the Motion that no hearing is required and grant the relief requested.

If a default order has not been signed and entered, the parties or their counsel are required to appear in Court at the hearing on the above date and time.

Date: August 2, 2022

Paul D. Murphy-Ahles, Esquire
PA ID No. 201207
DETHLEFS PYKOSH & MURPHY
2132 Market Street
Camp Hill, PA 17011
(717) 975-9446
pmurphy@dplglaw.com
Attorney for Debtor(s)

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ORDER OF COURT

UPON CONSIDERATION of the Debtor(s) Motion to Incur Debt/Obtain Credit, said Motion IS HEREBY GRANTED, and the Debtor(s) is permitted to obtain financing from American Financing Corporation for the purpose of refinancing a personal residence for Debtor(s), up to the loan amount of \$205,000.00 at an interest rate of 5.50% or less.

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CERTIFICATE OF SERVICE

I hereby certify that on Tuesday, August 2, 2022, I served a true and correct copy of the **Debtor(s)' Motion to Incur Debt/Obtain Credit, Notice of Opportunity to Object and Hearing, and proposed Order** in this proceeding via electronic means or USPS First Class Mail upon the recipients as listed in the Mailing Matrix.

/s/ Kathryn S. Greene

Kathryn S. Greene, RP®, Pa.C.P.
Paralegal for Paul D. Murphy-Ahles, Esquire

Label Matrix for local noticing
0314-1
Case 1:19-bk-05263-HWV
Middle District of Pennsylvania
Harrisburg
Tue Aug 2 14:50:23 EDT 2022

Capital One Bank (USA), N.A.
by American InfoSource as agent
PO Box 71083
Charlotte, NC 28272-1083

Discover Bank
Discover Financial Services Inc
PO Box 3025
New Albany, OH 43054-3025

(p)JEFFERSON CAPITAL SYSTEMS LLC
PO BOX 7999
SAINT CLOUD MN 56302-7999

Midland Mortgage Co.
PO Box 26648
Oklahoma City, OK 73126-0648

Synchrony Bank / Care Credit
Attn: Bankruptcy Department
PO Box 965060
Orlando, FL 32896-5060

Verizon
by American InfoSource as agent
PO Box 4457
Houston, TX 77210-4457

Roberta Lyn Hoy
154 Needlewood Drive, Unit D4
Harrisburg, PA 17112-8714

PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541-1021

Capital One Bank USA, NA
PO Box 80885
Salt Lake City, UT 84130-0285

Discover Financial Services, LLC
PO Box 3025
New Albany, OH 43054-3025

Members 1st Federal Credit Union
5000 Louise Drive
PO Box 40
Mechanicsburg, PA 17055-0040

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
PO Box 41021
NORFOLK VA 23541-1021

Synchrony Bank / Lowe's
Attn: Bankruptcy Department
PO Box 965061
Orlando, FL 32896-5061

(p)JACK N ZAHAROPOULOS
ATTN: CHAPTER 12 TRUSTEE
8125 ADAMS DRIVE SUITE A
HUMMELSTOWN PA 17036-8625

U.S. Bankruptcy Court
Ronald Reagan Federal Building
228 Walnut St, Rm 320
Harrisburg, PA 17101-1737

Department Stores National Bank
c/o Quantum3 Group LLC
PO Box 657
Kirkland, WA 98083-0657

(p)FORD MOTOR CREDIT COMPANY
P O BOX 62180
COLORADO SPRINGS CO 80962-2180

MidFirst Bank
999 Northwest Grand Boulevard
Oklahoma City, OK 73118-6051

Synchrony Bank
c/o PRA Receivables Management, LLC
PO Box 41021
Norfolk VA 23541-1021

United States Trustee
22 Walnut Street, Suite 190
Harrisburg, PA 17101-1722

Paul Donald Murphy-Ahles
Dethlefs Rykoosh & Murphy
2130 Market Street
Camp Hill, PA 17011-4706

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Ford Motor Credit Company
PO Box 62180
Colorado Springs, CO 80962-4400

(d)Ford Motor Credit Company LLC
Dept. 55953
PO Box 55000
Detroit, MI 48255-0953

Jefferson Capital Systems LLC
Po Box 7999
Saint Cloud Mn 56302-9617

Portfolio Recovery Associates, LLC
POB 12914
Norfolk VA 23541

Jack N Zaharopoulos (Trustee)
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)CAB East LLC/Ford Motor Credit Company LLC	(u)MidFirst Bank	(d)Synchrony Bank c/o PRA Receivables Management, LLC PO Box 41021 Norfolk, VA 23541-1021
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End of Label Matrix	
Mailable recipients	21
Bypassed recipients	3
Total	24

